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*Attorneys for Creditor  
Barnard Pipeline, Inc.*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION,**

**-and-**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

Bankruptcy Case  
Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case)  
(Jointly Administered)

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric Company  
☒ Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM)*

**NOTICE OF CONTINUED PERFECTION  
OF MECHANICS LIEN PURSUANT TO 11  
U.S.C. § 546(b)(2)**

Tehama County (Lien 2019001048)

Barnard Pipeline, Inc. ("Barnard"), by and through its undersigned counsel, hereby gives notice of continued perfection of its mechanics lien under 11 U.S.C. § 546(b)(2), as follows:

1. Barnard has provided and delivered labor, services, equipment, and/or materials for the construction and improvements of projects located in the County of Tehama, State of California (the "Property"), the legal description for which is set forth in the Claim of Mechanics Lien, a true copy of which is attached hereto as **Exhibit A** (the "Mechanics Lien").

2. The Property is owned by PG&E Corporation and/or Pacific Gas and Electric Company (collectively, the "Debtors"), which filed voluntary petitions for relief under Chapter 11

1 of Title 11 of the United States Code (the "Bankruptcy Code") on January 29, 2019 (the "Petition  
2 Date").

3 3. On January 28, 2019, before the Petition Date, Barnard properly and timely recorded  
4 its Mechanics Lien under California Civil Code § 8400, *et seq.* in the Official Records of Tehama  
5 County, State of California.

6 4. Through January 28, 2019, the amount owing to Barnard subject to its Mechanics  
7 Lien is at least \$1,729.97, exclusive of accruing interest and other charges, and additional amounts  
8 which have continued and are continuing, to accrue after the Petition Date.

9 5. California Civil Code § 8460(a) provides that:

10 The claimant shall commence an action to enforce a lien within 90  
11 days after recordation of the claim of lien. If the claimant does not  
12 commence an action to enforce the lien within that time, the claim  
of lien expires and is unenforceable[.]

13 6. Pursuant to California Civil Code § 8460, an action to enforce a lien must be  
14 commenced within 90 days after recordation of the claim of lien. However, section 362 of the  
15 Bankruptcy Code automatically stays Barnard from filing a state court action to enforce its  
16 mechanics lien. *See* 11 U.S.C. § 362.

17 7. Section 546(b)(2) of the Bankruptcy Code provides that when applicable law

18 ... requires seizure of such property or commencement of an action  
19 to accomplish such perfection, or maintenance or continuation of  
20 perfection of an interest in property; and ... such property has not  
21 been seized or such an action has not been commenced before the  
22 date of the filing of the petition; such interest in such property shall  
be perfected, or perfection of such interest shall be maintained or  
continued, by giving notice within the time fixed by such law for  
such seizure or such commencement.

23 *See* 11 U.S.C. § 362; *see also Village Nurseries v. Gould (In re Baldwin Builders)*, 232 B.R. 406,  
24 410-11 (9<sup>th</sup> Cir. 1999); *Village Nurseries v. Greenbaum*, 101 Cal.App.4<sup>th</sup> 26, 41 (Cal. Ct. App.  
25 2002).

26 8. Accordingly, Barnard hereby provides notice of its rights as a lienholder in the  
27 Property pursuant to California's mechanics lien law. Barnard is filing and serving this notice to  
28 perfect, preserve, maintain, and continue the perfection of its lien and its rights in the Property to

1 comply with the requirements of California state law, 11 U.S.C. §§ 362(a), 362(b)(3), and  
2 546(b)(2), and any other applicable law. This notice constitutes the legal equivalent of having  
3 recorded a mechanics lien in the recorder's office for the county where the Property is located and  
4 then having commenced an action to foreclose the lien in the proper court. By this notice, the  
5 Debtors and other parties in interest are estopped from claiming that the lawsuit to enforce  
6 Barnard's mechanics lien was not timely commenced pursuant to applicable state law. Barnard  
7 intends to enforce its lien rights to the fullest extent permitted by applicable law. The interests,  
8 perfected, maintained, or continued by 11 U.S.C. § 546(b)(2) extend in and to the proceeds,  
9 products, offspring, rents, or profits of the Property.

10 9. The filing of this notice shall not be construed as an admission that such filing is  
11 required under the Bankruptcy Code, the California mechanics lien law, or any other applicable  
12 law. In addition, Barnard does not make any admission of fact or law, and Barnard asserts that its  
13 lien is senior to and effective against entities that may have acquired rights or interests in the  
14 Property previously.

15 10. The filing of this notice shall not be deemed to be a waiver of Barnard's right to  
16 seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of any other  
17 rights or defenses.

18 11. Barnard reserves all rights, including the right to amend or supplement this notice.

19 Dated: April 11, 2019

**WATT, TIEDER, HOFFAR & FITZGERALD,  
L.L.P.**

By: 

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Colin C. Holley (CA 191999)  
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*Attorneys for Creditor  
Barnard Pipeline, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 17, 2019, I caused a copy of the foregoing Notice of Continued Perfection of Mechanics Lien Pursuant to 11 U.S.C. § 546(b)(2) to be sent via e-mail and/or first-class mail to the parties identified in the Master Core/2002 Service List attached hereto as **Exhibit B**.



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Jane G. Kearl

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**EXHIBIT A**

Recording requested by:  
Barnard Pipeline, Inc.

And when recorded mail this document to:

Jane G. Kearl, Esq.  
Robert C. Shaia, Esq.  
Watt, Tieder, Hoffar & Fitzgerald, LLP  
2040 Main Street, Suite 300  
Irvine, CA 92614

For recorder's use

**MECHANICS' LIEN**  
**(Cal. Civ. Code § 8416, et seq.)**

1. BARNARD PIPELINE, INC. ("Claimant") claims a mechanics lien for the labor, services, equipment and/or materials described in paragraph 2, furnished for a work of improvement on that certain real property located in the City of Corning, County of Tehama, State of California, and more particularly described as:

All right, title and interest of Pacific Gas and Electric Company ("PG&E") at 23700 Co. Rte. A9, Corning CA, Lat: 39.927694, Long: -122.150307, and all appurtenances and easements related thereto, including specifically, without limitation, all improvements, structures, and pipelines in or on which Claimant provided labor, services, equipment, and/or materials as set forth in paragraph 2.

2. After deducting all just credits and offsets, the sum of \$1,729.97, together with interest at the rate of 10% per annum from January 22, 2019, is due Claimant for the following: labor, services, equipment and/or materials for installation of cathodic test stations on high pressure natural gas pipelines, and related construction work performed under the Alliance Agreement between Claimant and PG&E and Contract Work Authorization No. 2501594574, for UID#s 26031 - 26032 - 26030 - 26033 - 26034 - 26730 - 26881 - 26882, or otherwise requested by PG&E.

3. Claimant furnished the labor, services, equipment and/or materials, at the request of: PG&E.

4. The name and address of the owner(s) or reputed owner(s) of the real property is/are: PG&E, 77 Beale Street, 32<sup>nd</sup> Floor, San Francisco, CA 94105.

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5. Claimant's address is: 701 Gold Avenue, Bozeman, MT 59715.

Dated January 22, 2019

BARNARD PIPELINE, INC.

By: [Signature]  
Zach Bowler, Vice President

VERIFICATION

I, Zach Bowler, am the Vice President of Claimant on the foregoing Mechanics Lien and am authorized to make this verification for and on its behalf. I have read the foregoing Mechanics Lien and know the contents of the Mechanics Lien to be true of my own knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated January 22, 2019

By: [Signature]  
Zach Bowler, Vice President

**NOTICE OF MECHANICS LIEN**

**ATTENTION!**

Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.

The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek a sale of your property in order to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.

BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS STATE LICENSE BOARD WEB SITE AT [www.cslb.ca.gov](http://www.cslb.ca.gov).



1 **PROOF OF SERVICE**

2 I, Julie Benton, declare:

3 I am employed in the County of Orange, State of California. I am over the age of 18 years  
4 and not a party to the within action. My business address is 2040 Main Street, Suite 300, Irvine,  
5 California 92614-6232.

6 On January 23, 2019, I served ☐ the originals ☒ true copies of the following document(s)  
7 described as MECHANICS LIEN and NOTICE OF MECHANICS' LIEN on the interested parties  
8 in this action, by placing the document(s) listed above in a sealed envelope with postage thereon  
9 fully prepaid, the United States mail at Irvine, California addressed as set forth below:

10 Pacific Gas & Electric Company (PG&E)  
11 77 Beale Street, 32<sup>nd</sup> Floor  
12 San Francisco, CA 94105

13 I declare under penalty of perjury under the laws of the State of California that the foregoing  
14 is true and correct.

15 Executed on January 23, 2019, at Irvine, California.

16   
17 Julie Benton  
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